



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

11 Eva Marie Yee,

12 Plaintiff,

13 v.

14 Assurance IQ, LLC,

15 Defendant.  
16  
17  
18

**CASE No.: 2:19-CV-02010-TSZ**

**NOTICE OF VOLUNTARY DISMISSAL  
OF ACTION WITHOUT PREJUDICE AS  
TO THE NAMED PLAINTIFF AND  
WITHOUT PREJUDICE AS TO THE  
PUTATIVE CLASS**

19 Plaintiff Eva Marie Yee hereby moves to dismiss the above entitled action  
20 without prejudice as to the named Plaintiff and without prejudice as to the Putative  
21 Class.

22 The notice and approval requirements of Federal Rule of Civil Procedure  
23 23(e)<sup>1</sup> are inapplicable to the parties' settlement and dismissal of this Putative Class  
24 action because this action has not been certified as a class. Regardless, there is no  
25 prejudice to the absent class members because (i) it is highly unlikely that there has  
26 been any reliance by putative class members on the filing of this class action to  
27

28 <sup>1</sup> Federal Rule of Civil Procedure 23(e) states "[t]he claims, issues or defenses of a certified class may be settled, voluntarily dismissed, or compromised only with the Court's approval.

1 vindicate their rights; (ii) putative class members' claims will not be prejudiced by  
2 lack of adequate time to file other actions due to the tolling of the absent class  
3 members' claims; (iii) there have been no concessions, impairments or other actions  
4 taken by the Parties' counsel that would prejudice the class' claims; and (iv) the  
5 putative class members are being dismissed without prejudice

6 WHEREFORE, Plaintiff respectfully requests that this court dismiss this  
7 action without prejudice as to the named Plaintiff, and without prejudice as to the  
8 Putative Class. This Court retains jurisdiction to enforce the settlement of this  
9 action.

10  
11  
12 Dated: January 23, 2020

By: s/ Abbas Kazerounian

Abbas Kazerounian Esq.

**KAZEROUNI LAW GROUP, APC**

245 Fischer Ave, Suite D1

Costa Mesa, CA 92626

Telephone: (800) 400-6808

Facsimile: (800) 520-5523

Email: [ak@kazlg.com](mailto:ak@kazlg.com)

*Counsel for Plaintiff*

